



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/893,589  | 06/29/2001  | Julian Durand        | 017.38953X00        | 5623             |
| 20457   | 7590        | 08/25/2005           | EXAMINER            |                  |
| ANTONELLI, TERRY, STOUT & KRAUS, LLP<br>1300 NORTH SEVENTEENTH STREET<br>SUITE 1800<br>ARLINGTON, VA 22209-3873 |             |                      | TRUONG, LAN DAI T   |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2143                |                  |

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                       |                                      |  |
|------------------------------|---------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/893,589  | <b>Applicant(s)</b><br>DURAND ET AL. |  |
|                              | <b>Examiner</b><br>lan dai thi truong | <b>Art Unit</b><br>2143              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

*RS*

### **DETAILED ACTION**

1. This action is response to communications: application, filed 07/03/2002; amendment filed 06/10/2005. Claims 1-22 are pending. Claims 1, 4, 6, 9, 13, 19, 22 are amended by application. Claim 22 is added. Claims 8,10, 17-18 are canceled.

2. The applicant's argument file on 06/10/2005 have fully considered but they are moot in view with new ground for rejection

### ***Claim rejections-35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-3, 6-8, 10-15, 17-21 are rejected under 35 U.S.C 103(a) as being unpatentable over Macroncini et al. (U.S. 6,834,110) in view of Dimenstein (U.S. 6,917,923)**

**Regarding to claim 1, which is exemplary with claim 22:**

Art Unit: 2132

Macroncini discloses the invention substantially as claimed, including a system which can be implemented in computer hardware or software code for communicating data and protecting rights therein, comprising:

At least one user device which communicates wirelessly and is capable of performing a mutual authentication with a server for receiving data: (Macroncini disclosed The Secure Digital Content Electronic Distribution System and related tools for the secure delivery and rights management using the trusted party such as Clearinghouse for transaction verification and license authorization what Shared identical functionality with “mutual authentication” of digital assets films, games, and music over global communications networks such as Internet, satellite broadcast network what are equivalent to “communicates wirelessly”. Macroncini taught that The Secure Digital Content Electronic Distribution System comprises the Electronic Digital Content Store is a web server which is equivalent to “a server” and End-user device(s) which is equivalent to “user device with rendering application” such as PCS, set top boxes, and Internet application those can copy or store digital contents such as pictures, movies, videos, music, program, multimedia, and games. As a part of the web-base interaction, The end-user device makes the selection of content and provide personal information, financial information, and agreement to conditional of purchase then the Electronic Digital Content Store (s) can obtain payment authorization through Clearinghouse: column 1, lines 11-19; column 11, lines 38-49; column 9, lines 30-50; column 69, lines 31-32; column 12, lines 53-57; column 14, lines 53-58, 27-37; column 13, lines 47-64; column 25, lines 13-30; column 24, lines 41-49).

A server in communication with said at least one user device and including a trusted lock: (Macroncini disclosed the Electronic Digital Content Store is web server what is equivalent to “a

Art Unit: 2132

server” and the Clearinghouse that could be part of Electronic Digital Content Store. Macroncini taught that once Electronic Digital Content Store completes a valid request for electronic content from an End-user device this process is shared identical functionality with “A server in communication with said at least one user device”, the Electronic Digital Content Store is responsible for authorizing the Clearinghouse to release the decryption key for the electronic content to the customer: column 69, lines 30-32; column 13, lines 16-26, 45-67; column 14, lines 1-5, 23-25;).

A rights management engine in communication with said server for applying and enforcing user rights associated with said data: (Macroncini disclosed Clearinghouse is shared identical functionality with “rights management engine”. Macroncini taught that Clearinghouse takes care licensing authorization and the control, enforcement for contents distribution. Clearinghouse releases decryption keys only for authorized and appropriate usage requests and only users who have decryption keys can unlock the encrypted content: column 9, lines 63-67, column 10, lines 1-10, 26-29; column 13, lines 47-64, column 24, lines 41-67; column 25, lines 1-3, column 44, lines 11-37)

A storage device in communication with said server for storing said data: (Macroncini disclosed that content provider(s) are owners of data which includes encrypted content, encryption key, metadata and digital content-related data are packed in secure contain (SC) and this data is stored in a content hosting site and/ or promotional website which is equivalent to data storage device for electronic contents distribution. The content hosting site could be resided in content provider(s): column 12, lines 1-7, 45-57; figure 6, items 101).

A storage device in communication with said server for recording a time stamped and digitally signed audit trail: (Macroncini disclosed Clearinghouse is a secure storage device for recording authorization of data communication in a secure audit trail because Clearinghouse maintains a Audit Logs of information such as date and time of request, date time of purchase transaction, date time of report was sent out and other information such as Identification of the content provider(s), Identification of End-user device(s): column 24, lines 41-49; column 26, lines 66-67; column 27, lines 1-2; column 47, lines 36-67; column 48, lines 1-45)

Wherein said server, and said rights management engine, said storage device for storing said data and said storage device for recoding a time stamped and digitally signed audit trail are separate from said at least one user device: (figure 1D: items 109, 111)

However Macroncini but does not explicitly teach wherein said data is rendered by said server

However Dimenstein discloses “the maintainer of websites” which is equivalent to “a server” submit their website to “an industry committee” which is equivalent to “rights management engine”. After going through authentication steps, the file is downloaded in unencrypted format and then encoded: column 7, lines 55-64; column 2, lines 30-34; column 3, lines 21-44)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Dimenstein’s ideas of submit their website to an industry committee. After authorization, the file is downloaded and then encoded with Macroncini’s system in order to protect copyright, see (Dimenstein: column 1, line 64)

**Regarding to claim 2:**

Macroncini- Dimenstein discloses a method as discuss in inclaim1, which includes the system according to claim 1, wherein said server, rights management engine, data storage and audit rail storage are in a secure location separate from the user device so that trusted services including timing, auditing and copying are performed in a secure environment: (Macroncini disclosed the content hosting site and/ or promotional website which is equivalent to “data storage device” for electronic contents distribution as discussion on claim (1d), and the content hosting site and/ or promotional website can reside at the content provider(s). Furthermore, Macroncini disclose Clearinghouse which is equivalent to “rights management engine” and “audit rail storage” is accessible website to the end-user device, this processing means “ ‘rights management engine’ and ‘audit rail storage’ are in a secure location separate from the user device”. According to figure 6, In Macroncini’s system, the communication between the content provider(s), Electronic Digital Content Store(s) which is equivalent to “server”, and end-user device could also be over the Internet or other network. He explained they are interconnected together through Internet or satellite: column 25, lines 6-13; figure 6, item 101, 105, 109; column 12, lines 1-7, 45-57; column 14, lines 19-25; column 25, lines 6-10).

**Regarding to claim 3:**

Macroncini- Dimenstein discloses a method as discuss in inclaim1, which includes the system according to claim 1, wherein said user device includes a storage device for holding data which is released under instructions from said server: (Macroncini disclosed storage device on the end-user’ system to store and retrieve data such as external media, Digital Content Library: column 9, lines 35-41; column 91, lines 33-36; column 92, lines 13-24; column 61, lines 42-46; column 83, lines 20-25).

**Regarding to claim 6:**

Macroncini discloses the invention substantially as claimed, including a method, which can be implemented in computer hardware or software code for communicating data from a server to a wireless user device and protecting rights therein, comprising:

Authenticating identification of said server and said user device: (Macroncini disclosed Clearinghouse is trusted third party for Authenticating identification between the Electronic Digital Content Store(s) which is equivalent to “a server” and End-user device what is equivalent to “user device”. Macroncini taught that the Electronic Digital Content Store(s) assigned a unique application ID to End-User application Player and downloaded the End-Use Player Application to End-user device so End-User can use for application license verification. The Electronic Digital Content Store(s) then recognizes Identification of End-User at the time the End-User makes the buying selection and provides personal information. Furthermore, Macroncini disclosed the Electronic Digital Content Store(s) completes a valid request for electronic Content from the End-Use device, the Electronic Digital Content Store(s) is also responsible for authorization the Clearinghouse which is trusted third party to release the decryption key for decrypting content to the customer: column 25, lines 22-30; column 35, lines 29-32; column 13, lines 16-21; column 24, lines 28-34, column 45, lines 5-10).

Requesting data to be communicated from said server to said user device: (Macroncini disclosed the Electronic Digital Content Store what is “a server” responses to valid request for electronic Content what is “data” from the End-user device, this is shared identical functionality with “Requesting data to be communicated: column 13, lines 16-26; column 21, lines 11-17; column 25, lines 14-21).



Art Unit: 2132

Authorizing said data to be communicated based on rights attributed to said user device in a right management engine separate from said user device: (Macroncini disclosed watermark is embedded in the content at the End-user Device(s) to identify the content purchase (or licensee) and End-user device(s), to specify the purchase or license conditions and valid date. After the Clearinghouse authorizes license, the Clearinghouse(s) provides licensing authorization by enabling end-user(s) to un-clock content after verification of a successful completion of licensing authorization: column 9, lines 60-67; column 10 lines 1-12, 58-67; column 11, lines 1-2; column 28, lines 15-40; column 21, lines 11-65; column 22, lines 1-3).

Recording said authorization to provide for a trail separate from said user device: (Macroncini disclosed audit logs and tracking method, he taught that the Clearinghouse is the trusted third party who handled recording all purchase authorization processing between Electronic Digital Store(s) and End-User device: column 47, lines 36-67; column 48, lines 1-57)

However Macroncini but does not explicitly teach rendering said data from said server wirelessly by said server

However Dimenstein discloses “the maintainer of websites” which is equivalent to “a server” submit their website to “an industry committee” which is equivalent to “rights management engine”. After going through authentication step, the file is downloaded in unencrypted format and then encoded: column 7, lines 55-64; column 2, lines 30-34; column 3, lines 21-44)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Dimenstein’s ideas of submit their website to an industry

Art Unit: 2132

committee. After authorization, the file is downloaded and then encoded with Macroncini's system in order to protect copyright, see (Dimenstein: column 1, line 64)

**Regarding to claim 11:**

Macroncini- Dimenstein discloses a method as discuss in claim 6, which includes wherein said recording step is performed in a storage device to record authorization along with time and other information in order to provide a trusted audit trail, which is based on trusted time and a trusted third party to sign the recording: (Macroncini disclosed Clearinghouse as the trusted party what is equivalent to " a trusted third party to sign the recording". Macroncini disclosed Audit Logs and Tracking method by using Clearinghouse. He taught that the Clearinghouse maintains a Audit Logs of information such as date and time of request, date time of purchase transaction, date time of report was sent out which are equivalent to trusted time, and other information such as Identification of the content provider(s), Identification of End-user device(s): column 24, lines 41-49; column 26, lines 66-67; column 27, lines 1-2; column 47, lines 36-67; column 48, lines 1-45)

**Regarding to claim 12:**

Macroncini- Dimenstein discloses a method as discuss in claim 6, which includes wherein said data is originally stored in a content storage device connected to said server : (Macroncini disclosed that content provider(s) are owners of data which includes encrypted content, encryption key, metadata and digital content-related data are packed in secure contain (SC), the data is stored in a content hosting site and/ or promotional website for electronic distribution which is equivalent to data storage device. The content hosting site can reside at the content provider(s). Also Macroncini taught that the communication between the content

Art Unit: 2132

provider(s) and Electronic Digital Content Store(s) could also be over the Internet or other network: column 25, lines 4-13; figure 6, items 101, 103; column 12, lines 1-7, 45-57).

**Regarding to claim 13:**

Macroncini discloses the invention substantially as claimed, including a communication device, which can be implemented in computer hardware or software code for providing data to a user device, comprising:

A server, which is capable of performing a mutual authentication with the user device: (Macroncini disclosed The Secure Digital Content Electronic Distribution System and related tools for the secure delivery and rights management using the trusted party such as Clearinghouse for transaction verification and license authorization what Shared identical functionality with “mutual authentication” of digital assets films, games, and music over global communications networks such as Internet, satellite broadcast network. Macroncini taught that The Secure Digital Content Electronic Distribution System comprises the Electronic Digital Content Store is a web server which is equivalent to “a server” and End-user device(s) which is equivalent to “user device with rendering application” such as PCS, set top boxes, and Internet application those can copy or store digital contents such as pictures, movies, videos, music, program, multimedia, and games. As a part of the web-base interaction, The End-User device makes the selection of content and provide personal information, financial information, and agreement to conditional of purchase then the Electronic Digital Content Store (s) can obtain payment authorization through clearinghouse: column 1, lines 11-19; column 9, lines 30-50; column 69, lines 31-32; column 12, lines 53-57; column 14, lines 53-58, 27-37; column 13, lines 47-64; column 25, lines 13-30; column 24, lines 41-49).

Art Unit: 2132

A data storage device connected to said server for storing said data: (Macroncini disclosed that content provider(s) are owners of data which includes encrypted content, encryption key, metadata and digital content-related data are packed in secure contain (SC), the data is stored in a content hosting site and/ or promotional website for electronic distribution which is equivalent to data storage device. The content hosting site can reside at the content provider(s). Also Macroncini taught that the communication between the content provider(s) and Electronic Digital Content Store(s) could also be over the Internet or other networkcolumn 25, lines 4-13; figure 6, items 101, 103; column 12, lines 1-7, 45-57).

A digital rights management engine connected to said server for determining rights attributed to authenticated users: (Macroncini disclosed Electronic Digital Content Store(s) which is Shared identical functionality with “server”, End-user device and the Clearinghouse(s) which is equivalent to “digital rights management engine” are interconnection by internet, and unicast (point to point) transmission is used among those componentscolumn 25, lines 6-10; figure 6, items 105, 103).

However Macroncini but does not explicitly teach rendering said data to said user

However Dimenstein discloses “the maintainer of websites” which is equivalent to “a server” submit their website to “an industry committee” which is equivalent to “rights management engine”. After going through authentication step, the file is downloaded in unencrypted format and then encoded: column 7, lines 55-64; column 2, lines 30-34; column 3, lines 21-44)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Dimenstein’s ideas of submit their website to an industry

Art Unit: 2132

committee. After authorization, the file is downloaded and then encoded with Macroncini's system in order to protect copyright, see (Dimenstein: column 1, line 64)

**Regarding to claim 14:**

Macroncini- Dimenstein discloses a method as discuss in claim 13, which includes the communication device according to claim 13, further comprising a secure storage device for recording authorization of data communication in a secure audit trail: (Macroncini disclosed Clearinghouse is a secure storage device for recording authorization of data communication in a secure audit trail because Clearinghouse maintains a Audit Logs of information such as date and time of request, date time of purchase transaction, date time of report was sent out and other information such as Identification of the content provider(s), Identification of End-user device(s)column 24, lines 41-49; column 26, lines 66-67; column 27, lines 1-2; column 47, lines 36-67; column 48, lines 1-45)

**Regarding to claim 15:**

Macroncini- Dimenstein discloses a method as discuss in claim 13, which includes the wherein data is sent from said server to a user through a wireless communication system: (Macroncini disclose end-user device and Electronic Digital Content Store(s) which is equivalent to "server" could be communicated through point-to-point and broadcast infrastructures such as wireless, Internet or satellite: column 9, lines 30-45; column 25, lines 4-13; figure 6, items 103, 109).

**Regarding to claim 19:**

Macroncini discloses the invention substantially as claimed, including a communication device, which can be implemented in computer hardware or software code communicate data having protected rights, comprising:

Communicating wirelessly with a mobile terminal controlled by a user: (Macroncini disclosed Secure Digital Content Electronic Distribute System, in this system, the content is distributed from Electronic Digital Content Store(s) which is equivalent to server to end-user device using method point-to-point, and broadcast infrastructures such as Internet, satellite and wireless: column 9, lines 35-45)

Determining rights of said user in protected data using a rights management engine: (Macroncini disclosed Clearinghouse is shared identical functionality with “rights management engine”. Macroncini taught that Clearinghouse takes care licensing authorization and the control, enforcement for contents distribution. Clearinghouse releases decryption keys only for authorized and appropriate usage requests and only users who have decryption keys can unlock the encrypted content: column 9, lines 63-67, column 10, lines 1-10, 26-29; column 13, lines 47-64, column 24, lines 41-67; column 25, lines 1-3, column 44, lines 11-37)

Recording an audit trail of communications with said mobile terminal in a storage device: (Macroncini disclosed Clearinghouse is a secure storage device for recording authorization of data communication in a secure audit trail because clearinghouse maintains a Audit Logs of information such as date and time of request, date time of purchase transaction, date time of report was sent out and other information such as Identification of the content provider(s), Identification of End-user device(s) column 24, lines 41-49; column 26, lines 66-67; column 27, lines 1-2; column 47, lines 36-67; column 48, lines 1-45)

However Macroncini but does not explicitly teach rendering said data and wirelessly communication data to said mobile terminal

However Dimenstein discloses “the maintainer of websites” which is equivalent to “a server” submit their website to “an industry committee” which is equivalent to “rights management engine”. After going through authentication step, the file is downloaded in unencrypted format and then encoded: column 7, lines 55-64; column 2, lines 30-34; column 3, lines 21-44)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Dimenstein’s ideas of submit their website to an industry committee. After authorization, the file is downloaded and then encoded with Macroncini’s system in order to protect copyright, see (Dimenstein: column 1, line 64)

**Regarding to claim 20:**

Macroncini- Dimenstein discloses a method as discuss in claim 19, which includes a computer program according to claim 19, further comprising storing said protected data in a secure location separate from said mobile terminal wherein all operations regarding said protected data are performed in a secure environment: (Macroncini disclosed the content hosting site and/ or promotional website which is equivalent to “data storage device” for electronic contents distribution as discussion on claim (1d), and the content hosting site and/ or promotional website can reside at the content provider(s). Also Macroncini taught that the communications between the content provider(s), Electronic Digital Content Store(s), end-user device could also be over the Internet or other network what mean “storing said protected data in a secure location

separate from said mobile terminal”: column 25, lines 4-13; figure 6, items 101, 103 109; column 12, lines 1-7, 45-57).

**Regarding to claim 21:**

Macroncini- Dimenstein discloses a method as discuss in claim 1, which includes wherein said data is stored in protected form: (Macroncini disclosed content is encrypted within secure container and only users who have received the decryption keys from clearinghouse can un-clock and use data: column 10, lines 23-29).

**Claims 4-5, 9, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable**

**Macroncini - Dimenstein in view of Laursen et al. (U.S. 6,065,120)**

**Regarding to claim 4:**

Macroncini- Dimenstein discloses the invention substantially as disclosed in claim 1, but does not explicitly teach wherein said user device is a wireless communication terminal selected from the group of consisting of a mobile station, a WAP-capable cellular telephone, an extended markup language capable cellular telephone, or a cellular phone with a processor-based system connected to it

However, Laursen disclosed the network channel could be used to transmit data between a cellular phone and data server. It would have been obvious to a person of ordinary skill in the art at the time the invention was make of “user device is a wireless communication terminal such as a mobile station, a WAP-capable cellular telephone, an extended markup language capable cellular telephone, or a cellular phone with a processor-based system connected to it” because



Art Unit: 2132

cellular phone is equivalent to mobile station or a WAP-capable cellular telephone: column 9, lines 33-54)

The combination would have been obvious because one of ordinary skill in the art would have been motivated to provide the users with portable, convenient and instant access to information being sought in the Internet.

**Regarding to claims 5, 9, 16:**

Macroncini- Dimenstein discloses the invention substantially as disclosed in claims 4, 6 and 15 wherein said wireless terminal is an 'always on' device" is matched (column 9, lines 33-54)

Laursen disclosed user device such as cellular telephone what is an "always-on" device.

The combination would have been obvious because one of ordinary skill in the art would have been motivated to provide the users with portable, convenient and instant access to information being sought in the Internet.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2132

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to lan dai thi truong whose telephone number is 571-272-7959. The examiner can normally be reached on monday- friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lan Dai Thi Truong  
Examiner  
Art Unit 2143

Ldt  
08/21/2005

  
DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100